

Notice of Allowability

Application No.

10/081,173

Examiner

Jalatee Worjloh

Applicant(s)

COLLIER, DAVID C.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2-16-07.
2. ☒ The allowed claim(s) is/are 1-5,8,9,12,15,18-22,25,28,31-35,38,41,44-47 and 52-55.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Jalatee Worjloh
Primary Examiner
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1. Claims 1-5, 8,9, 12, 15, 18-22, 25, 28, 31-35, 38, 41, 44-47, and 52-55 are allowed.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:

The closest prior art of record is US Publication No. 2005/0021467 to Franzdonk.

Franzdonk discloses a digital rights network including a digital rights server to store content consumer rights, defining access right of a content consumer with respect to content, and content owner rights defining access policies to the content as established by a content owner. Franzdonk taken either individual or in combination with other prior art of record fails to teach or suggest providing said plurality of content keys encrypted with said plurality of license keys, used one-at-a-time on a periodically rotating basis for encrypting and decrypting said plurality of content keys, to said license in an Intellectual Property Management and Protection (IPMP) stream provided along with said material as recited in independent claim 1, transmitting said plurality of content keys encrypted with said plurality of license keys, used one-at-a-time on a periodically rotating basis for encrypting and decrypting said plurality of content keys, to said client device in an Intellectual Property Management and Protection (IPMP) stream provided along with said material as recited in independent claim 18, said plurality of content keys encrypted with said plurality of license keys, used one-at-a-time on a periodically rotating basis for encrypting and decrypting said plurality of content keys, to said client device in an Intellectual Property Management and Protection (IPMP) stream provided along with said material as recited in independent claim 31 and receiving said plurality of content keys encrypted with said plurality of license keys, used one-at-a-time on a periodically rotating basis for encrypting and decrypting said plurality of content keys, in an Intellectual Property Management

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and Protection (IPMP) stream provided along with said material as recited in independent claim

52. Further, if the features above were found in a reasonable number of references one of ordinary skill in the art would not be motivated to combine these references with Franzdonk because it would destroy the operation of Franzdonk.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US Publication No. 2003/0023564 to Padhye et al. discloses a method and system for managing use of items having usage rights associated therewith/
- US Patent No. 71113926 to Suzuki discloses a secure media on demand system whereby charge is determined in part from the periodicity of an encryption key.
- Digital Rights Management, Copyright, and Napster to Garnett.

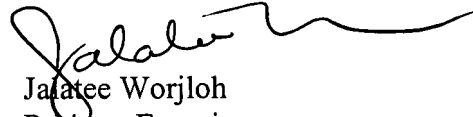
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jalatee Worjloh whose telephone number is (571) 272-6714. The examiner can normally be reached on Mondays-Thursdays 8:30 - 7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer can be reached on (571) 272-6779. The fax phone number for the

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organization where this application or proceeding is assigned is 571-273-8300 for Regular/After Final Actions and 571-273-6714 for Non-Official/Draft.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jalate Worjloh
Primary Examiner
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February 16, 2007